

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

MIAMI VALLEY FAIR HOUSING	)	CASE NO.: 3:08 cv 00150
CENTER, INC.; METROPOLITAN	)	
MILWAUKEE FAIR HOUSING	)	
COUNCIL, INC., AND NATIONAL	)	JUDGE: THOMAS M. ROSE
FAIR HOUSING ALLIANCE, INC.	)	
	)	
Plaintiffs,	)	<u>SEPARATE ANSWER OF</u>
	)	<u>DEVELOPMENT DESIGN GROUP,</u>
	)	<u>INC.</u>
vs.	)	
	)	<i>(Jury Demand Endorsed Hereon)</i>
STEINER & ASSOCIATES, INC., et al.	)	
	)	
Defendants.		

Now come the Defendant, Development Design Group, Inc., by and through undersigned counsel and for its Answer to the Plaintiff's Complaint states as follows:

1. Defendant denies for lack of knowledge the allegations in paragraph 1 of the Plaintiff's Complaint except to say that it denies any and all allegations regarding Development Design Group, Inc. was responsible in anyway for the actions brought in this case.
2. Defendant states that the allegations for themselves and do not require an answer. If an answer is required, the Defendant denies the allegations in paragraph 2 of the Plaintiffs' Complaint.
3. Defendant denies the allegations in paragraph 3 of the Plaintiffs' Complaint.
4. Defendant denies for lack of knowledge the allegations in paragraph 4 of the Plaintiffs' Complaint.
5. Defendant denies the allegations in paragraph 5 of the Plaintiffs' Complaint.
6. Defendant denies the allegations in paragraph 6 of the Plaintiffs' Complaint.
7. Defendant denies the allegations in paragraph 7 of the Plaintiffs' Complaint.

8. Defendant denies for lack of knowledge the allegations in paragraph 8 of the Plaintiffs' Complaint.

9. Defendant denies the allegations in paragraph 9 of the Plaintiff's Complaint.

10. Defendant denies for lack of knowledge the allegations in paragraph 10 of the Plaintiffs' Complaint.

11. Defendant denies for lack of knowledge the allegations in paragraph 11 of the Plaintiffs' Complaint.

12. Defendant denies for lack of knowledge the allegations in paragraph 12 of the Plaintiffs' Complaint.

13. Defendant denies for lack of knowledge the allegations in paragraph 13 of the Plaintiffs' Complaint.

14. Defendant denies for lack of knowledge the allegations in paragraph 14 of the Plaintiffs' Complaint.

15. Defendant admits that Development Design Group, Inc. is a Maryland Corporation registered to do business in Ohio with its principle place of business at 7 St. Paul Street, 19<sup>th</sup> Floor, Baltimore, Maryland 21202, and Defendant denies the remaining allegations in paragraph 18 of the Plaintiffs' Complaint.

16. Defendant denies for lack of knowledge the allegations in paragraph 16 of the Plaintiffs' Complaint.

17. Defendant denies for lack of knowledge the allegations in paragraph 17 of the Plaintiffs' Complaint.

18. Defendant denies for lack of knowledge the allegations in paragraph 18 of the Plaintiffs' Complaint.

19. Defendant denies for lack of knowledge the allegations in paragraph 19 of the Plaintiffs' Complaint.

20. Defendant denies for lack of knowledge the allegations in paragraph 20 of the Plaintiffs' Complaint.

21. Defendant denies for lack of knowledge the allegations in paragraph 21 of the Plaintiffs' Complaint.

22. Defendant states that the FHA terms speak for itself and deny for lack of knowledge the allegations in paragraph 22 of the Plaintiffs' Complaint.

23. Defendant states that the allegations in paragraph 23 speaks for itself including subparts (a), (b), (c), (d), (e) and (f) and deny for lack of knowledge the allegations in paragraph 23 of the Plaintiffs' Complaint.

24. Defendant states that the HUD and FHA design construction regulations speak for themselves and deny for lack of knowledge the allegations in paragraph 24 of the Plaintiffs' Complaint.

25. Defendant denies for lack of knowledge the allegations and the statistics quoted in paragraph 25 of the Plaintiffs' Complaint.

26. Defendant denies for lack of knowledge the allegations in paragraph 26 of the Plaintiffs' Complaint and denies that there was any design and construction violation.

27. Defendant denies for lack of knowledge the allegations in paragraph 27 of the Plaintiffs' Complaint.

28. Defendant denies for lack of knowledge the allegations in paragraph 28 of the Plaintiffs' Complaint.

29. Defendant denies for lack of knowledge the allegations in paragraph 29 of the Plaintiffs' Complaint.

30. Defendant denies for lack of knowledge the allegations in paragraph 30 of the Plaintiffs' Complaint.

31. Defendant denies for lack of knowledge the allegations in paragraph 31 of the Plaintiffs' Complaint.

32. Defendant denies the allegations in paragraph 32 of the Plaintiffs' Complaint if they are directed to the herein answering Defendant.

33. Defendant denies the allegations in paragraph 33 of the Plaintiffs' Complaint.

34. Defendant denies the allegations in paragraph 34 of the Plaintiffs' Complaint.

35. Defendant denies the allegations in paragraph 35 of the Plaintiffs' Complaint.

36. Defendant denies the allegations in paragraph 36 of the Plaintiffs' Complaint.

37. Defendant denies the allegations in paragraph 37 of the Plaintiffs' Complaint.

38. Defendant denies the allegations in paragraph 38 of the Plaintiffs' Complaint.

39. Defendant denies the allegations in paragraph 39 of the Plaintiffs' Complaint.

40. Defendant denies the allegations in paragraph 40 of the Plaintiffs' Complaint.

41. Defendant denies the allegations in paragraph 41 of the Plaintiffs' Complaint.

42. Defendant denies the allegations in paragraph 42 of the Plaintiffs' Complaint.

43. Defendant denies the allegations in paragraph 43 of the Plaintiffs' Complaint.

44. Defendant denies the allegations in paragraph 44 of the Plaintiffs' Complaint.

45. Defendant denies the allegations in paragraph 45 of the Plaintiffs' Complaint.

46. Defendant denies the allegations in paragraph 46 of the Plaintiffs' Complaint.

47. Defendant denies the allegations in paragraph 47 of the Plaintiffs' Complaint.

48. Defendant denies the allegations in paragraph 48 of the Plaintiffs' Complaint.

49. Defendant denies the allegations in paragraph 49 of the Plaintiffs' Complaint.

50. Defendant denies the allegations in paragraph 50 of the Plaintiffs' Complaint.

51. Defendant denies the allegations in paragraph 51 of the Plaintiff's Complaint including subparts (a), (b) and (c).

52. Defendant incorporates its answers in paragraph 1-51 as if fully rewritten herein.

53. Defendant denies for lack of knowledge the allegations in paragraph 53 of the Plaintiffs' Complaint.

54. Defendant denies for lack of knowledge the allegations in paragraph 55 of the Plaintiffs' Complaint.

55. Defendant denies the allegations in paragraph 55 of the Plaintiffs' Complaint including subparts (a), (b) and (c).

56. Defendant denies the allegations in paragraph 56 of the Plaintiffs' Complaint.

57. Defendant denies the allegations in paragraph 57 of the Plaintiffs' Complaint.

58. Defendant denies the allegations in paragraph 58 of the Plaintiffs' Complaint.

#### **AFFIRMATIVE DEFENSES**

1) Plaintiff has failed to state a claim upon which relief may be granted.

2) Plaintiffs' Complaint is barred by the applicable statute of limitations.

3) Defendant performed all work in a workman like manner in compliance with the Fair Housing Act.

4) Plaintiff's damages, any, were the direct and proximate result of the intervening and/or superceding acts of third parties over whom Defendant had neither control nor the duty to control.

5) Defendant did everything to comply with any and all rules and regulations, statutes and laws.

6) Defendant fully complied with all applicable standards of care and complied with the Fair Housing Act.

7) The Plaintiffs have no standing to pursue this claim.

8) Plaintiffs' damages, if any, were not caused by the herein answering Defendants.

9) Defendant reserves the right to add to or amend their affirmative defenses as they become known through the course of discovery in this matter.

Respectfully submitted,

/s/Robert W. Hojnoski  
Robert W. Hojnoski (# 0070062)  
**REMINER CO., L.P.A.**  
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Cincinnati, Ohio 45202  
(513) 721-1311  
Email – [rhojnoski@reminger.com](mailto:rhojnoski@reminger.com)  
Attorney for Defendant,  
Development Design Group, Inc.

**JURY DEMAND**

Defendants demand a trial by jury on all claims asserted herein.

/s/Robert W. Hojnoski  
Robert W. Hojnoski (# 0070062)  
**REMINER CO., L.P.A.**

CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2008 a copy of the foregoing was filed electronically. Notice of this filing will be sent to all registered parties by operation of the Court's electronic filing system.

/s/Robert W. Hojnoski  
Robert W. Hojnoski (# 0070062)